

SENATE BILL 3235
By Carter

AN ACT to amend Chapter 325 of the Private Acts of 1980; and any other acts amendatory thereto, relative to the board of mayor and aldermen and vice mayor of the town of Bruceton.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 325 of the Private Acts of 1980, and all other acts amendatory thereto, is amended by deleting Section 2.01 in its entirety and by substituting instead the following:

Section 2.01. Election of Mayor and Aldermen.

(a) On the first Tuesday after the first Monday in November, 1998, an election shall be conducted by the Carroll County election commission at the same hours and places for holding general elections and under the same general election laws of the state of Tennessee in order to elect a mayor and five (5) aldermen from the town at-large. In this election each elector may vote for five (5) candidates for alderman and one (1) candidate for mayor. At the municipal election in November, 1998, and for the purpose of initiating staggered terms for the aldermen, the two (2) candidates for alderman receiving the highest number of votes shall be elected for a term of four (4) years, while the three (3) candidates for alderman receiving the next three (3) highest vote totals in that election shall be elected for a term of two (2) years. Thereafter, all terms of election shall be for a term of four (4) years and thereafter elections shall be held biennially in even-numbered years. In those years not evenly divisible by the

number four (4), i.e. 1998, 2002, 2006, etc., the electors shall elect one (1) candidate for mayor and two (2) candidates for alderman at-large, all for four (4) year terms. In those even years evenly divisible by the number four (4), i.e. 2000 and 2004, etc., the electors shall elect three (3) candidates for alderman at-large to serve four (4) year terms.

(b) Any elector who is eighteen (18) years of age or over and has been a resident of the town for at least one (1) year may be qualified as a candidate for the board of mayor and aldermen by a nominating petition to the county election commission not less than forty (40) days prior to the election, signed by at least twenty-five (25) electors. Any elector who is twenty-one (21) years of age or over and has been a resident of the town for at least one (1) year may be qualified as a candidate for mayor by a nominating petition submitted to the county election commission not less than forty (40) days prior to the election, signed by at least twenty-five (25) electors. Any qualified voter who is a nonresident and who owns real property in the town may also vote in the election.

(c) The nominating petition shall be prepared in substantially the following form:

We, the undersigned electors of the town of Bruceton, hereby nominate _____, whose residence is _____, for the office of _____ alderman (mayor), to be voted for at the election to be held on the _____ day of _____, ____; and we individually certify that we are registered voters.

Date of _____

Name _____

Address _____

Signing _____

(d) Persons nominated may withdraw their nominations by written notice to the county election commission not later than thirty-three (33) days before the election. Names of candidates shall be listed alphabetically on the ballot; the residence addresses of candidates having the same or substantially similar surnames shall also be printed on the ballot.

(e) Each elector shall be entitled to vote for one (1) candidate for mayor in the first election and in each election for mayor held thereafter. Each elector shall be entitled to vote for two (2) candidates for alderman in the first election where only two (2) aldermen are going to be elected, the year 2002, and each subsequent election where two (2) aldermen will be elected. Each elector shall be entitled to vote for three (3) candidates for alderman in the biennial election in 2000 and in subsequent biennial elections where three (3) aldermen are to be elected. The terms of office of the mayor and board of aldermen shall begin at 7:00 p.m. Tuesday next following their election, and they shall serve until their successors have been elected and qualified. No informality shall invalidate such an election, providing it is conducted fairly and in substantial conformity with the requirements of this charter and the general election laws of the state of Tennessee.

(f) The terms of office of the mayor and board of aldermen elected at the March, 1995, elections shall be extended so as those persons elected at that time will serve through the election and qualification of their successors in November of 1998.

SECTION 2. Chapter 325 of the Private Acts of 1980, and all other acts amendatory thereto, is amended by deleting Section 2.05 in its entirety and by substituting instead the following:

Section 2.05. Vice Mayor - Election and Duties. The board at the first regular meeting after the newly elected aldermen have taken office following each biennial election, shall appoint from its membership a vice mayor. The vice mayor shall serve a term of two (2) years. The vice mayor shall perform the duties of the mayor during his absence or inability to act, and shall fill out any unexpired term in the office of mayor, in which case an alderman shall be selected by majority vote of the board to serve the unexpired term as vice mayor. In addition, the vice mayor shall be the cosignatory of all check warrants of the town.

SECTION 3. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the town of Bruceton. Its approval or nonapproval shall be proclaimed by the presiding officer of the town of Bruceton and certified to the secretary of state.

SECTION 4. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 3.

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